

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RUTASHA BATES, o/b/o  
ELTOMICO A. GRANT,

Plaintiff,

vs.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendants,

CIVIL ACTION NO. 08-12468

HONORABLE DENISE PAGE HOOD

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**ORDER ACCEPTING REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge R. Steven Whalen's Report and Recommendation [**Docket No. 20**], dated December 30, 2008. To date, none of the parties have filed objections to the Magistrate Judge's Report and Recommendation.

The Magistrate Judge recommended that the Court GRANT Defendant's Motion for Summary Judgment [**Docket No. 18, filed Dec. 10, 2008**] and DENY Plaintiff's Motion for Summary Judgment [**Docket No. 10, filed Sept. 26, 2008**]. After careful review and consideration, the Court finds that the Magistrate Judge reached the correct conclusion for the proper reasons.

Accordingly,

**IT IS ORDERED** that the Report and Recommendation [**Docket No. 20, filed December 30, 2008**] of Magistrate Judge R. Steven Whalen is **ACCEPTED** and **ADOPTED** as this Court's findings and conclusions of law.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment

[Docket No. 18, filed Dec. 10, 2008] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment [Docket No. 10, filed Sept. 26, 2008] is **DENIED**.

s/ DENISE PAGE HOOD  
DENISE PAGE HOOD  
United States District Judge

Dated: January 29, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record and Rutasha Bates, 1961 Ford St., Detroit, MI 48238 on January 30, 2009, by electronic and/or ordinary mail.

s/ William F. Lewis  
Case Manager